

REMARKS/ARGUMENTS

In response to the Examiner's final Office Action of January 29, 2009 issued with respect to the present RCE application, the Applicant respectfully submits the accompanying Amendment of the claims and the below Remarks.

Regarding Amendment

In the Amendment:

independent claims 1 and 2 are amended to specify that the action is with respect to consumable state data stored by the first entity. Support for these amendments can be found at paragraphs [5402]-[5437] of the present specification; and
claims 3-9 are unchanged.

It is respectfully submitted that the Amendment does not add any new matter to the present application, nor any new issues to the prosecution of the present application.

Regarding 35 USC 103(a) Rejections

It is respectfully submitted that the subject matter of amended independent claims 1 and 2, and claims 3-9 dependent therefrom, is not taught or suggested by Collins in view of Hohberger, because Hohberger merely discloses that the transponder of the cartridge is programmed with the serial number, media type number and authentication number of the cartridge (see paragraph [0043]), and does not teach or suggest storing consumable state data, such as an amount of consumable remaining, or authenticating messages on the basis of such data, as is required by the claimed invention. Therefore, no combination of Collins and Hohberger would result in the claimed invention.

It is respectfully submitted that all of the Examiner's rejections have been traversed. Accordingly, it is submitted that the present application is in condition for allowance and reconsideration of the present application is respectfully requested.

Very respectfully,

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